

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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UNITED STATES OF AMERICA, :
:
-against- : **ORDER**
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JAVON WALKER, : 13 Cr. 200 (AKH)
:
Defendant. :
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ALVIN K. HELLERSTEIN, U.S.D.J.:

Defendant was transferred into federal custody following the issuance of a bench warrant for his arrest for alleged violations of supervised release. Yesterday, he appeared before a Magistrate Judge, who granted bail. The Government appealed, and I conducted a telephonic hearing the same day. I review *de novo* a Magistrate Judge's bail determination. *United States v. Paulino*, 335 F. Supp. 3d 600, 609 (S.D.N.Y. 2018). Under Federal Rule of Criminal Procedure 32.1, a person in custody for alleged violation of supervised release bears “[t]he burden of establishing by clear and convincing evidence that the person will not flee or pose a danger to any other person or to the community rests with the person.” For the reasons stated on the record at yesterday's telephonic hearing, I find that Defendant has failed to establish by clear and convincing evidence that he will not flee if released or pose a danger to the community in light of continued arrests for criminal behavior. Therefore, the order of the Magistrate Judge granting bail to Defendant is reversed. Defendant shall remain detained pending further proceedings.

SO ORDERED.

Dated: April 28, 2020
New York, New York

/s/ Alvin K. Hellerstein
ALVIN K. HELLERSTEIN
United States District Judge